

REMARKS

Claims 1-17 remain in the application with claims 1, 5, 6, 12, 13 and 17 having been amended hereby. Claims 1, 5, 6, 12, 13 and 17 are in independent form.

Reconsideration is respectfully requested of the rejection of claims 1-17 under 35 U.S.C. 103(a) as being unpalatable over Stefik et al. (US 5,629,980) in view of Applicant's admissions.

The present invention relates to managing data representing copyrighted work that is transmitted over an open communication network such as the Internet.

Stefik et al. relates to a system for controlling use of a digital work within a trusted source and distribution of the digital work from one trusted source to another trusted source. This is accomplished by attaching usage rights to the digital work. The digital work is prevented from being copied or otherwise used except for within a trusted source and only then after an examination of the attached usage rights to determine if appropriate rights have been granted. See, for example, Stefik et al., col. 7, lines 1-5 ("In contrast, the present invention never separates the fee description from the work. Thus, the digital work genie only moves from one trusted bottle (repository) to another, and all uses of copies are potentially controlled and billable.").

This stands in contrast to the present invention where copyrighted work data is managed as it is transmitted over an open communication network such as the Internet. The present invention is therefore able to manage copyrighted work data that is not confined to a trusted source.

Therefore Stefik et al. fails to teach or suggest managing copyrighted work data transmitted on an open communication network.

Moreover, the Applicants have not admitted that "managing copyrighted work data transmitted on an open communication network" exists in the prior art.

Therefore, by reason of the amendments made to the claims hereby, as well as the above remarks, it is respectfully submitted that copyrighted work management and apparatus thereof, as taught by the present invention and as recited in the amended claims, is neither shown nor suggested in the cited references.

The references cited as of interest have been reviewed and are not seen to show or suggest the present invention as recited in the amended claims.

Entry of this amendment is earnestly solicited, and it is respectfully submitted that the amendments made to the claims hereby raise no new issues requiring further consideration and/or search, because all of the features of this invention have

clearly been considered by the examiner in the prosecution of this application and because the present amendments serve only to further define and emphasize the novel features of this invention.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Jay H. Maioli".

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